

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re : **Chapter 11 Case No.**
 :
LEHMAN BROTHERS HOLDINGS INC., et al., : **08-13555 (JMP)**
 :
Debtors. : **(Jointly Administered)**
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**ORDER GRANTING PLAN ADMINISTRATOR'S
OMNIBUS OBJECTION TO CLAIMS FILED BY DEBORAH E. FOCHT**

Upon the omnibus objection, dated January 28, 2013 (the "Focht Objection"), of Lehman Brothers Holdings Inc., as Plan Administrator (the "Plan Administrator") pursuant to the *Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and Its Affiliated Debtors* for the entities in the above referenced chapter 11 cases, pursuant to section 502(b) of title 11 of the United States Code (the "Bankruptcy Code") and Rule 3007 of the Federal Rules of Bankruptcy Procedure, seeking disallowance and expungement of the Focht Claims (ECF No. 34303)¹; and the replies filed by Deborah E. Focht on February 21, 2013 and March 25, 2013 (together, the "Focht Responses") (ECF Nos. 35026 and 36165); and the Plan Administrator's reply to the Focht Responses (the "Focht Reply"), filed on April 22, 2013 (ECF No. 36737); and due and proper notice of the Focht Objection and the Focht Reply having been provided; and it appearing that no other or further notice need be provided; and a hearing having been held before the Court on April 25, 2013; and the Court having jurisdiction to consider the Focht Objection and the Focht Reply and the relief requested therein in accordance with 28 U.S.C. §§157 and 1334 and Amended Standing Order M-431 Referring to Bankruptcy Judges for the Southern District of New York Any and All Proceedings Under Title 11, dated January 31, 2012 (Preska, C.J.); and the Court having found and determined that the relief sought in the

¹ Terms not defined herein shall have the same meaning ascribed to them in the Focht Objection.

Focht Objection and the Focht Reply with respect to Focht Claims 42914, 42915 and 42916 is in the best interests of the Chapter 11 Estates, their creditors, and all parties in interest in the above captioned chapter 11 cases, and that the legal and factual bases set forth in the Focht Objection and the Focht Reply establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the Focht Objection and the Focht Reply is granted to the extent provided herein; and it is further

ORDERED that, pursuant to section 502(b) of the Bankruptcy Code, Focht Claims 42914, 42915 and 42916 are disallowed and expunged in their entirety with prejudice; and it is further

ORDERED that the Debtors' court appointed claims and noticing agent is authorized and directed to delete Focht Claims 42914, 42915 and 42916 from the official claims registry; and it is further

ORDERED that the hearing on Focht Claims 34380 and 34381 is adjourned until June 13, 2013 or as soon thereafter as counsel may be heard; and it is further

ORDERED that this Order shall have no res judicata, estoppel, or other effect on the validity, allowance, or disallowance of, and all rights to object and defend on any basis are expressly reserved with respect to Focht Claims 34380 and 34381; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation and/or enforcement of this Order.

**Dated: April 30, 2013
New York, New York**

/s/ James M. Peck

**Hon. James M. Peck
United States Bankruptcy Judge**